

United States Government

Department of Energy

memorandum

DATE: June 14, 2000

REPLY TO:

ATTN OF: Office of Environmental Policy and Guidance: Boulos: 6-1306

SUBJECT:

INFORMATION-RECENT CLEAN AIR ACT-RELATED FEDERAL REGISTER
NOTICES: April 2000 to May 2000

TO:

Distribution

EH-412 has been routinely distributing material on Environmental Protection Agency (EPA) clean air-related Federal Register (FR) notices not otherwise transmitted to program and field offices in order to make the Departmental complex aware of information that may be of relevance to its operations. Attached are summaries of clean air-related FR notices published during the period April 2000 to May 2000.

Questions pertaining to the notices related to hazardous air pollutants should be directed to Emile Boulos of my staff (emile.boulos@eh.doe.gov; 202-586-1306), Questions on the remaining notices should be directed to Ted Koss of my staff (theodore.koss@eh.doe.gov; 202-586-7964).

(original was signed by Andrew Wallo)
Andrew Wallo III
Director
Air, Water and Radiation Division

Attachment

ATTACHMENT

Clean Air Act (CAA)-related Federal Register (FR) Notices Published During the Period April 2000 to May 2000

**R Notice of Storage Tank Emission Reduction Partnership Program:
"Slotted Guidepoles at Certain Petroleum and Organic Liquid Storage Vessels",
(65 FR 19891; April 13, 2000).**

On April 13, 2000, the Environmental Protection Agency (EPA) issued a notice for the regulated community to participate in the Storage Tank Emission Reduction Partnership Program. Slotted guidepoles constitute a pathway for evaporative product losses and volatile organic compound (VOC) emissions. VOCs include a wide variety of hydrocarbons, some of which are hazardous air pollutants (e.g., benzene, toluene, xylene and ethyl benzene). Uncontrolled emissions from the use of slotted guidepoles can exceed 25,000 pounds per year.

A substantial but undetermined number of New Source Performance Standards(NSPS) Subpart Ka/Kb tanks have slotted guidepoles. They may be found at any facility that stores substantial quantities of volatile organic liquids, including petroleum products (e.g., refineries, gasoline distribution terminals, chemical plants and other facilities).

NSPS Subpart affected facilities are petroleum liquid storage vessels with a capacity of greater than 40,000 gallons that were constructed, reconstructed or modified after May 18, 1978 (40 CFR 60.110a); NSPS Subpart Kb affected facilities are volatile organic liquid storage vessels with a capacity of greater than 40 cubic meters that were constructed, reconstructed or modified after July 23, 1984 (40 CFR 60.110b).

EPA determined that uncontrolled slotted guidepoles do not comply with the "no visible gap" requirement in NSPS Subparts Ka and Kb, ([65 FR 2336](#); January 14, 2000). In the interests of promoting fast, efficient and widespread emission reductions from slotted guide poles, EPA is offering to enter into agreements with those companies that have installed or will install controls to reduce their slotted guidepole emissions at the new source performance standards(NSPS) Subpart Ka/Kb tanks.

The Storage Tank Emission Reduction Partnership Program included:
Each company intending to participate must notify EPA of its intent to participate within 60 days of the program notice date and identify each facility it intends to include under this program, using its unique EPA Identification Number; Participating companies must assess all of their NSPS Subpart Ka/Kb external floating roof tanks with slotted guide poles and are encouraged to assess all of their NSPS Subpart Ka/Kb internal floating roof tanks with slotted guide poles; Acceptable slotted guidepole controls under this program are identified (Appendix I); The terms and conditions for program participation are in the participation agreement that each participant must execute(Appendices II & III); and Companies electing to participate in this program must submit a notice of intent by June 12, 2000, and an executed partnership agreement by December 11, 2000.

In this final notice certain technical changes that had been recommended included: Clarification of facility coverage; Additional acceptable control options; and Procedures for facilities with controls already installed.

R Proposed rule: 40 CFR Part 51, "Consolidated Emissions Reporting", (65 FR 33268; May 23, 2000).

The purpose of this proposed rule is to consolidate reporting requirements; improve and simplify emissions reporting; improve reporting efficiency; provide flexibility for data gathering and reporting; better explain to program managers and the public the need for a consistent inventory program. EPA is proposing to add reporting requirements for particulate matter less than or equal to 2.5 micrometers (PM 2.5) and its precursors, and to reduce the reporting requirements for other criteria pollutants.

This proposal consolidates existing and new requirements of emission inventories for: point sources, 3-year cycles, and the NO_x SIP call. Emission inventories are critical for the efforts of State, local, and federal agencies to attain and maintain the National Ambient Air Quality Standards (NAAQS) that EPA has established for criteria pollutants such as ozone, particulate matter, and carbon monoxide. EPA uses emission inventories to form realistic public policy by the following: modeling analyses, projecting future control strategies, tracking progress to meet requirements of the Clean Air Act, calculating risk, and responding to public inquiries. 40 CFR Part 51 was amended by adding subpart A (Emission Inventory Reporting Requirements), and Appendix A (Tables and Glossary).

R Interpretative rule: 40 CFR Part 63, "National Emission Standards for Hazardous Air Pollutants for Source Categories", (65 FR 34009; May 25, 2000).

This interpretative rule clarifies the construction by EPA of the applicability of sections 112(g) and 112(j) of the Clean Air Act(CAA), and of the regulations implementing these provisions for stationary combustion turbines in Subpart B--Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections 112(g) and 112(j). Specifically, EPA has determined that case-by-case maximum achievable control technology (MACT) determinations under subpart B must be made for all new or reconstructed major source stationary combustion turbines, regardless of whether they are part of a combined cycle system. Waste heat recovery units, including duct burners, which are part of a combined cycle system are considered to be steam generating units. New or reconstructed waste heat recovery units would not be subject to case-by-case MACT determinations under subpart B if they are electric utility steam generating units. This interpretative rule will become legally effective and binding on June 26, 2000.